

B1 (Official Form 1)(1/08)

<b>United States Bankruptcy Court</b> <b>Eastern District of Tennessee</b>				<b>Voluntary Petition</b>											
Name of Debtor (if individual, enter Last, First, Middle): <b>Gay, Wesley Alger</b>			Name of Joint Debtor (Spouse) (Last, First, Middle): <b>Gay, Kathy Gail</b>												
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): <b>DBA Dry Creek Valley Concrete</b>			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):												
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-5771</b>			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-5017</b>												
Street Address of Debtor (No. and Street, City, and State): <b>501 Dry Creek Rd</b> <b>Tellico Plains, TN</b> <div style="text-align: right; font-size: small;">ZIP Code <b>37385</b></div>			Street Address of Joint Debtor (No. and Street, City, and State): <b>501 Dry Creek Rd</b> <b>Tellico Plains, TN</b> <div style="text-align: right; font-size: small;">ZIP Code <b>37385</b></div>												
County of Residence or of the Principal Place of Business: <b>Monroe</b>			County of Residence or of the Principal Place of Business: <b>Monroe</b>												
Mailing Address of Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>			Mailing Address of Joint Debtor (if different from street address): <div style="text-align: right; font-size: small;">ZIP Code</div>												
Location of Principal Assets of Business Debtor (if different from street address above):															
<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)		<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)  <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input checked="" type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding											
		<b>Nature of Debts</b> (Check one box)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.													
<b>Filing Fee</b> (Check one box)  <input type="checkbox"/> Full Filing Fee attached <input checked="" type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.			<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000. Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).												
<b>Statistical/Administrative Information</b> <input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.				<b>THIS SPACE IS FOR COURT USE ONLY</b>											
Estimated Number of Creditors <table style="width: 100%; font-size: small;"><tr><td><input checked="" type="checkbox"/> 1-49</td><td><input type="checkbox"/> 50-99</td><td><input type="checkbox"/> 100-199</td><td><input type="checkbox"/> 200-999</td><td><input type="checkbox"/> 1,000-5,000</td><td><input type="checkbox"/> 5,001-10,000</td><td><input type="checkbox"/> 10,001-25,000</td><td><input type="checkbox"/> 25,001-50,000</td><td><input type="checkbox"/> 50,001-100,000</td><td><input type="checkbox"/> OVER 100,000</td></tr></table>						<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000
<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999			<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,001-100,000	<input type="checkbox"/> OVER 100,000				
Estimated Assets <table style="width: 100%; font-size: small;"><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input checked="" type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>						<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion						
Estimated Liabilities <table style="width: 100%; font-size: small;"><tr><td><input type="checkbox"/> \$0 to \$50,000</td><td><input type="checkbox"/> \$50,001 to \$100,000</td><td><input checked="" type="checkbox"/> \$100,001 to \$500,000</td><td><input type="checkbox"/> \$500,001 to \$1 million</td><td><input type="checkbox"/> \$1,000,001 to \$10 million</td><td><input type="checkbox"/> \$10,000,001 to \$50 million</td><td><input type="checkbox"/> \$50,000,001 to \$100 million</td><td><input type="checkbox"/> \$100,000,001 to \$500 million</td><td><input type="checkbox"/> \$500,000,001 to \$1 billion</td><td><input type="checkbox"/> More than \$1 billion</td></tr></table>				<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion		
<input type="checkbox"/> \$0 to \$50,000	<input type="checkbox"/> \$50,001 to \$100,000	<input checked="" type="checkbox"/> \$100,001 to \$500,000	<input type="checkbox"/> \$500,001 to \$1 million	<input type="checkbox"/> \$1,000,001 to \$10 million	<input type="checkbox"/> \$10,000,001 to \$50 million	<input type="checkbox"/> \$50,000,001 to \$100 million	<input type="checkbox"/> \$100,000,001 to \$500 million	<input type="checkbox"/> \$500,000,001 to \$1 billion	<input type="checkbox"/> More than \$1 billion						

# **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**Gay, Wesley Alger**

**Gay, Kathy Gail**

## **All Prior Bankruptcy Cases Filed Within Last 8 Years** (If more than two, attach additional sheet)

Location

Where Filed: **- None -**

Case Number:

Date Filed:

Location

Where Filed:

Case Number:

Date Filed:

## **Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**- None -**

Case Number:

Date Filed:

District:

Relationship:

Judge:

### **Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

### **Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X /s/ Cynthia T. Lawson**

**February 8, 2010**

Signature of Attorney for Debtor(s)

(Date)

**Cynthia T. Lawson 018397**

### **Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☒ No.

### **Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☒ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

### **Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.
- ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

### **Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
(Name of landlord that obtained judgment)

\_\_\_\_\_  
(Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and
- ☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.
- ☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

# Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

**Gay, Wesley Alger**  
**Gay, Kathy Gail**

## Signatures

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.  
[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.  
[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X /s/ Wesley Alger Gay**  
Signature of Debtor **Wesley Alger Gay**

**X /s/ Kathy Gail Gay**  
Signature of Joint Debtor **Kathy Gail Gay**

Telephone Number (If not represented by attorney)

**February 8, 2010**

Date

### Signature of Attorney\*

**X /s/ Cynthia T. Lawson**  
Signature of Attorney for Debtor(s)

**Cynthia T. Lawson 018397**

Printed Name of Attorney for Debtor(s)

**Bond, Botes & Lawson, P.C.**

Firm Name

**6704 Watermour Way**  
**Knoxville, TN 37912**

Address

**Email: cynthialawson@bblawgroup.com**

**(865) 938-0733 Fax: (865) 938-7931**

Telephone Number

**February 8, 2010**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_  
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X** \_\_\_\_\_  
Signature of Foreign Representative

Printed Name of Foreign Representative

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

**X** \_\_\_\_\_  
Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

**United States Bankruptcy Court  
Eastern District of Tennessee**

In re **Wesley Alger Gay  
Kathy Gail Gay**

Debtor(s)

Case No.

Chapter

**13**

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

*DEFINITIONS*

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

*"Insider."* The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

**1. Income from employment or operation of business**

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
<b>\$3,256.67</b>	<b>2010 YTD: Debtor W</b>
<b>\$41,586.00</b>	<b>2009: Debtor W</b>
<b>\$41,588.00</b>	<b>2008: Debtor W</b>
<b>\$450.00</b>	<b>2010 YTD: H Self Employment Gross Receipts</b>
<b>\$33,020.00</b>	<b>2009: H Self Employment Gross Receipts</b>
<b>\$37,966.00</b>	<b>2008: H Self Employment Gross Receipts</b>

## 2. Income other than from employment or operation of business

None ☒ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
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## 3. Payments to creditors

None ☐ *Complete a. or b., as appropriate, and c.*

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Chase Home Finance 3415 Vision Dr Columbus, OH 43219-6009	Last 3 months (\$957.82)	\$2,873.46	\$122,733.89
Citifinancial Bankruptcy Dept. PO Box 140489 Irving, TX 75014-0489	Last three months (\$261.53)	\$784.59	\$11,377.60
Nissan Motor Acceptance Corporation Bankruptcy Dept P O Box 660366 Dallas, TX 75266-0366	Last three months (\$525.67)	\$1,577.01	\$7,327.03

None ☒ b. *Debtor whose debts are not primarily consumer debts:* List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,475. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS/ TRANSFERS	AMOUNT PAID OR VALUE OF TRANSFERS	AMOUNT STILL OWING
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None ☒ c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
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## 4. Suits and administrative proceedings, executions, garnishments and attachments

None ☒ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
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None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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#### 5. Repossessions, foreclosures and returns

None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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#### 6. Assignments and receiverships

None ☐ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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None ☐ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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#### 7. Gifts

None ☐ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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#### 8. Losses

None ☐ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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### 9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
<b>Bond, Botes &amp; Lawson, P.C. 6704 Watermour Way Knoxville, TN 37912</b>	<b>2/1/10</b>	<b>\$300 atty fee</b>

### 10. Other transfers

None ☒ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
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None ☒ b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER DEVICE	DATE(S) OF TRANSFER(S)	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY
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### 11. Closed financial accounts

None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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### 12. Safe deposit boxes

None ☒ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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### 13. Setoffs

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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#### 14. Property held for another person

None ☐ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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#### 15. Prior address of debtor

None ☐ If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
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#### 16. Spouses and Former Spouses

None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None ☐ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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None ☐ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

None ☐ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------



# 18 . Nature, location and name of business

None

- ☐ a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

*If the debtor is a partnership*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

*If the debtor is a corporation*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

NAME	LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Wesley Gay	XXX-XX-5771	d/b/a Dry Creek Valley Concrete 501 Dry Creek Rd Tellico Plains, TN 37385	Concrete	2004- present

None

- ☐ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
------	---------

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor or self-employed in a trade, profession, or other activity, either full- or part-time.

*(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

# 19. Books, records and financial statements

None

- ☐ a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
James Tax Services 629 S. Tennessee Ave Etowah, TN 37331	Tax preparer

None

- ☐ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME	ADDRESS	DATES SERVICES RENDERED
------	---------	-------------------------

None

- ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME	ADDRESS
------	---------

None

- ☐ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within **two years** immediately preceding the commencement of this case.

NAME AND ADDRESS

DATE ISSUED

**20. Inventories**

- None ☐ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY  
(Specify cost, market or other basis)

- None ☐ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY  
RECORDS

**21 . Current Partners, Officers, Directors and Shareholders**

- None ☐ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

- None ☐ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE  
OF STOCK OWNERSHIP

**22 . Former partners, officers, directors and shareholders**

- None ☐ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

- None ☐ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS

TITLE

DATE OF TERMINATION

**23 . Withdrawals from a partnership or distributions by a corporation**

- None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS  
OF RECIPIENT,  
RELATIONSHIP TO DEBTOR

DATE AND PURPOSE  
OF WITHDRAWAL

AMOUNT OF MONEY  
OR DESCRIPTION AND  
VALUE OF PROPERTY

**24. Tax Consolidation Group.**

- None ☐ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

**25. Pension Funds.**

None    If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an  
■    employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date **February 8, 2010**\_\_\_\_\_

Signature **/s/ Wesley Alger Gay**\_\_\_\_\_  
**Wesley Alger Gay**  
Debtor

Date **February 8, 2010**\_\_\_\_\_

Signature **/s/ Kathy Gail Gay**\_\_\_\_\_  
**Kathy Gail Gay**  
Joint Debtor

*Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571*

**United States Bankruptcy Court**  
**Eastern District of Tennessee**

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Debtors

Case No. \_\_\_\_\_

Chapter **13**

**SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	<b>Yes</b>	<b>1</b>	<b>128,000.00</b>		
B - Personal Property	<b>Yes</b>	<b>4</b>	<b>58,883.81</b>		
C - Property Claimed as Exempt	<b>Yes</b>	<b>2</b>			
D - Creditors Holding Secured Claims	<b>Yes</b>	<b>3</b>		<b>184,378.14</b>	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	<b>Yes</b>	<b>2</b>		<b>571.00</b>	
F - Creditors Holding Unsecured Nonpriority Claims	<b>Yes</b>	<b>4</b>		<b>9,996.43</b>	
G - Executory Contracts and Unexpired Leases	<b>Yes</b>	<b>1</b>			
H - Codebtors	<b>Yes</b>	<b>1</b>			
I - Current Income of Individual Debtor(s)	<b>Yes</b>	<b>2</b>			<b>4,859.32</b>
J - Current Expenditures of Individual Debtor(s)	<b>Yes</b>	<b>3</b>			<b>2,942.31</b>
Total Number of Sheets of ALL Schedules		<b>23</b>			
Total Assets			<b>186,883.81</b>		
Total Liabilities				<b>194,945.57</b>	

**United States Bankruptcy Court**  
**Eastern District of Tennessee**

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Debtors

Case No. \_\_\_\_\_

Chapter 13

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	<b>0.00</b>
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	<b>571.00</b>
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	<b>0.00</b>
Student Loan Obligations (from Schedule F)	<b>0.00</b>
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	<b>0.00</b>
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	<b>0.00</b>
TOTAL	<b>571.00</b>

**State the following:**

Average Income (from Schedule I, Line 16)	<b>4,859.32</b>
Average Expenses (from Schedule J, Line 18)	<b>2,942.31</b>
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 )	<b>5,459.45</b>

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		<b>38,004.19</b>
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	<b>142.00</b>	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		<b>429.00</b>
4. Total from Schedule F		<b>9,996.43</b>
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		<b>48,429.62</b>

B6A (Official Form 6A) (12/07)

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

## SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
House and lot located at: 501 Dry Creek Rd., Tellico Plains, TN 37385	Tenants by the entirety	J	128,000.00	122,733.89

Sub-Total > **128,000.00** (Total of this page)

Total > **128,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>Volunteer Federal checking account (Business)</b> <b>\$64.00</b>	J	<b>154.00</b>
		<b>Volunteer Federal Checkings account (Personal)</b> <b>\$90.00</b>		
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>VCR, Stereo, Washer/Dryer, Microwave, Vacuum Cleaner, Lawn Mower, Weed Eater, Exercise Equipment, Video Systems and Games, TV's, DVD Player, BR Furn, Kitchen Table, Kitchen Utensils, Computer, Tools, Garden Tools</b>	-	<b>1,975.00</b>
		<b>DR and BR furniture</b>	J	<b>700.00</b>
		<b>LR Furniture</b>	J	<b>200.00</b>
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>Books, Home interior pictures, DVD</b>	J	<b>100.00</b>
6. Wearing apparel.		<b>Clothing</b>	J	<b>200.00</b>
7. Furs and jewelry.		<b>Watches, necklaces, costume jewelry, rings, bracelets, earrings</b>	J	<b>370.00</b>
8. Firearms and sports, photographic, and other hobby equipment.		<b>(3) .22 pistols, 20 ga shotgun, 12 ga shotgun</b>	J	<b>500.00</b>
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Whole Life Insurance with State Farm Ins.</b>	J	<b>3,487.50</b>
Sub-Total > (Total of this page)				<b>7,686.50</b>

3 continuation sheets attached to the Schedule of Personal Property



B6B (Official Form 6B) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	<b>X</b>			
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)		<b>401k with Charles Schwab</b>	<b>W</b>	<b>17,692.31</b>
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<b>X</b>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.	<b>X</b>			
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			

Sub-Total > **17,692.31**  
(Total of this page)

Sheet 1 of 3 continuation sheets attached  
to the Schedule of Personal Property

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>1998 Chevy Pickup with 170,000 miles (inside door panel removed, transmission slipping) \$1000.00 and stove (200), frigerator (300), TV(100)and dishwasher (75)</b>	-	<b>1,675.00</b>
		<b>2003 Dodge Ram 1500 w 135,947 miles</b>	-	<b>11,925.00</b>
		<b>1996 Dodge Ram Pickup w 81,886 miles</b>	J	<b>5,000.00</b>
		<b>2004 Nissan Xterra w 115,550 miles</b>	J	<b>8,000.00</b>
		<b>Honda 250 and Honda 80 ATV</b>	J	<b>500.00</b>
		<b>Kioti LK 3054 Tractor</b>	J	<b>1,500.00</b>
		<b>1995 Jeep Wrangler</b>	J	<b>700.00</b>
26. Boats, motors, and accessories.		<b>1993 Bass Boat (blown motor, poor condition)</b>	J	<b>500.00</b>
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.	<b>X</b>			
29. Machinery, fixtures, equipment, and supplies used in business.		<b>Two flatbed trailers</b>	J	<b>1,000.00</b>
		<b>Medical books</b>	J	<b>100.00</b>
Sub-Total > (Total of this page)				<b>30,900.00</b>

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
		<b>(4) jointers, (7) trowels, (11) concrete stamps, (1) georgia buggy, (4) trowling machings, (2) bull floats, (4) knee boards, (2) concrete saw</b>	<b>J</b>	<b>2,605.00</b>
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

Sheet **3** of **3** continuation sheets attached to the Schedule of Personal Property

Sub-Total > **2,605.00**  
(Total of this page)  
Total > **58,883.81**

(Report also on Summary of Schedules)

B6C (Official Form 6C) (12/07)

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)

- ☐ 11 U.S.C. §522(b)(2)  
☒ 11 U.S.C. §522(b)(3)

☐ Check if debtor claims a homestead exemption that exceeds \$136,875.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b>Real Property</b>			
House and lot located at: 501 Dry Creek Rd., Tellico Plains, TN 37385	Tenn. Code Ann. § 26-2-301(f)	50,000.00	128,000.00
<b>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</b>			
Volunteer Federal checking account (Business) \$64.00	Tenn. Code Ann. § 26-2-103	154.00	154.00
Volunteer Federal Checkings account (Personal) \$90.00			
<b>Household Goods and Furnishings</b>			
VCR, Stereo, Washer/Dryer, Microwave, Vacuum Cleaner, Lawn Mower, Weed Eater, Exercise Equipment, Video Systems and Games, TV's, DVD Player, BR Furn, Kitchen Table, Kitchen Utensils, Computer, Tools, Garden Tools	Tenn. Code Ann. § 26-2-103	31.06	1,975.00
<b>Books, Pictures and Other Art Objects; Collectibles</b>			
Books, Home interior pictures, DVD	Tenn. Code Ann. § 26-2-103	100.00	100.00
<b>Wearing Apparel</b>			
Clothing	Tenn. Code Ann. § 26-2-104	200.00	200.00
<b>Furs and Jewelry</b>			
Watches, necklaces, costume jewelry, rings, bracelets, earrings	Tenn. Code Ann. § 26-2-104	370.00	370.00
<b>Firearms and Sports, Photographic and Other Hobby Equipment</b>			
(3) .22 pistols, 20 ga shotgun, 12 ga shotgun	Tenn. Code Ann. § 26-2-103	500.00	500.00
<b>Interests in Insurance Policies</b>			
Whole Life Insurance with State Farm Ins.	Tenn. Code Ann. § 56-7-203	3,487.50	3,487.50
<b>Interests in an Education IRA or under a Qualified State Tuition Plan</b>			
401k with Charles Schwab	Tenn. Code Ann. § 26-2-105	17,692.31	17,692.31
<b>Automobiles, Trucks, Trailers, and Other Vehicles</b>			
2003 Dodge Ram 1500 w 135,947 miles	Tenn. Code Ann. § 26-2-103	547.40	11,925.00
1996 Dodge Ram Pickup w 81,886 miles	Tenn. Code Ann. § 26-2-103	4,425.65	5,000.00
2004 Nissan Xterra w 115,550 miles	Tenn. Code Ann. § 26-2-103	672.97	8,000.00
Kioti LK 3054 Tractor	Tenn. Code Ann. § 26-2-111(4) Tenn. Code Ann. § 26-2-103	95.00 368.92	1,500.00
1995 Jeep Wrangler	Tenn. Code Ann. § 26-2-103	700.00	700.00

B6C (Official Form 6C) (12/07) -- Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Boats, Motors and Accessories</u></b>			
1993 Bass Boat (blown motor, poor condition)	Tenn. Code Ann. § 26-2-103	500.00	500.00
<b><u>Machinery, Fixtures, Equipment and Supplies Used in Business</u></b>			
Two flatbed trailers	Tenn. Code Ann. § 26-2-111(4)	1,000.00	1,000.00
Medical books	Tenn. Code Ann. § 26-2-111(4)	100.00	100.00
(4) jointers, (7) trowels, (11) concrete stamps, (1) georgia buggy, (4) trowling machings, (2) bull floats, (4) knee boards, (2) concrete saw	Tenn. Code Ann. § 26-2-111(4)	2,605.00	2,605.00

B6D (Official Form 6D) (12/07)

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. <b>101-0271926-000</b>  <b>Creditor #: 1</b> <b>Agricredit Acceptance LLC</b> <b>PO Box 2000</b> <b>Johnston, IA 50131-0020</b>	<b>J</b>	<b>Vehicle Title Lien</b>  <b>Kioti LK 3054 Tractor</b>				<b>1,036.08</b>	<b>0.00</b>
Value \$ <b>1,500.00</b>							
Account No. <b>0022265607</b>  <b>Creditor #: 2</b> <b>Chase Home Finance</b> <b>3415 Vision Dr</b> <b>Columbus, OH 43219-6009</b>	<b>-</b>	<b>First Mortgage</b>  <b>House and lot located at: 501 Dry Creek Rd., Tellico Plains, TN 37385</b>				<b>122,733.89</b>	<b>0.00</b>
Value \$ <b>128,000.00</b>							
Account No.  <b>Chase Home Finance LLC</b> <b>10790 Rancho Bernardo Rd</b> <b>P O Box 509011</b> <b>San Diego, CA 92127</b>		<b>Additional Notice</b> <b>Chase Home Finance</b>				<b>Notice Only</b>	
Value \$							
Account No. <b>67420678-0388207</b>  <b>Creditor #: 3</b> <b>Citifinancial</b> <b>Bankruptcy Dept.</b> <b>PO Box 140489</b> <b>Irving, TX 75014-0489</b>	<b>J</b>	<b>Vehicle Title (refinanced) and NPMSI</b>  <b>1998 Chevy Pickup with 170,000 miles (inside door panel removed) &amp; stove, refigderator, dishwasher &amp; TV</b>				<b>31,480.53</b>	<b>29,805.53</b>
Value \$ <b>1,675.00</b>							
Subtotal (Total of this page)						<b>155,250.50</b>	<b>29,805.53</b>

2 continuation sheets attached

B6D (Official Form 6D) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. <b>3912276701</b>	<b>J</b>	<b>Vehicle Title</b>					
<b>Creditor #: 4</b> <b>Citifinancial</b> <b>Bankruptcy Dept.</b> <b>PO Box 140489</b> <b>Irving, TX 75014-0489</b>		<b>2003 Dodge Ram 1500 w 135,947 miles</b>					
		Value \$ <b>11,925.00</b>				<b>11,377.60</b>	<b>0.00</b>
Account No.		<b>Additional Notice</b> <b>Citifinancial</b>				<b>Notice Only</b>	
<b>Citifinancial Auto</b> <b>P O Box 9575</b> <b>Coppell, TX 75019-9575</b>							
		Value \$					
Account No. <b>6032590296445926</b>	<b>J</b>	<b>PMSI</b> <b>LR Furniture</b>					
<b>Creditor #: 5</b> <b>Citifinancial/ Rooms to Go</b> <b>Bankruptcy Dept.</b> <b>PO Box 140489</b> <b>Irving, TX 75014-0489</b>							
		Value \$ <b>200.00</b>				<b>3,530.16</b>	<b>3,330.16</b>
Account No. <b>6032590296445926</b>	<b>J</b>	<b>PMSI</b> <b>DR and BR furniture</b>					
<b>Creditor #: 6</b> <b>Citifinancial/ Scott's Furniture</b> <b>Bankruptcy Dept.</b> <b>PO Box 140489</b> <b>Irving, TX 75014-0489</b>							
		Value \$ <b>700.00</b>				<b>992.02</b>	<b>292.02</b>
Account No. <b>6879450129059179393</b>	<b>J</b>	<b>PMSI</b> <b>Computer</b>					
<b>Creditor #: 7</b> <b>Dell Financial Services</b> <b>PO Box 981127</b> <b>El Paso, TX 79998-1127</b>							
		Value \$ <b>250.00</b>				<b>1,336.55</b>	<b>1,086.55</b>
Subtotal						<b>17,236.33</b>	<b>4,708.73</b>
(Total of this page)							

Sheet 1 of 2 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

B6D (Official Form 6D) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		J O I N T						
Account No. <b>6012 5069 0046 1525</b>	<b>J</b>		<b>PMSI</b>					
<b>Creditor #: 8</b> <b>GE Money Bank/ Honda Card</b> <b>Bankruptcy Dept</b> <b>P O Box 103104</b> <b>Roswell, GA 30076</b>			<b>Honda 250 and Honda 80 ATV</b>					
			Value \$ <b>500.00</b>					
Account No. <b>340-9096-18963</b>	<b>J</b>		<b>Vehicle Title Lien</b>					
<b>Creditor #: 9</b> <b>GMAC</b> <b>P. O. Box 380901</b> <b>Bloomington, MN 55438-0901</b>			<b>1996 Dodge Ram Pickup w 81,886 miles</b>					
			Value \$ <b>5,000.00</b>					
Account No.			<b>Additional Notice</b>				<b>Notice Only</b>	
<b>GMAC</b> <b>Bankruptcy Dept</b> <b>2740 Arthur St</b> <b>Saint Paul, MN 55113</b>			<b>GMAC</b>					
			Value \$					
Account No. <b>0010 2454 3354 4000 1</b>	<b>J</b>		<b>Vehicle Title Lien</b>					
<b>Creditor #: 10</b> <b>Nissan Motor Acceptance Corporation</b> <b>Bankruptcy Dept</b> <b>P O Box 660366</b> <b>Dallas, TX 75266-0366</b>			<b>2004 Nissan Xterra w 115,550 miles</b>					
			Value \$ <b>8,000.00</b>					
Account No.								
			Value \$					

Sheet **2** of **2** continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

Subtotal  
(Total of this page)

**11,891.31** **3,489.93**

Total  
(Report on Summary of Schedules)

**184,378.14** **38,004.19**



In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### ☐ Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### ☐ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### ☐ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### ☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### ☐ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### ☐ Deposits by individuals

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### ☒ Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### ☐ Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

#### ☐ Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6E (Official Form 6E) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Taxes and Certain Other Debts  
Owed to Governmental Units**

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	D A T E C L A I M W A S I N C U R R E D A N D C O N S I D E R A T I O N F O R C L A I M	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	A M O U N T O F C L A I M	A M O U N T N O T E N T I T L E D T O P R I O R I T Y, I F A N Y
								A M O U N T E N T I T L E D T O P R I O R I T Y
Account No.			<b>Notice Purpose Only</b>					
<b>Creditor #: 1</b> <b>Internal Revenue Service</b> <b>Special Procedures Branch</b> <b>ATTN: Bankruptcy Section MDP 146</b> <b>801 Broadway, Room 285</b> <b>Nashville, TN 37203</b>		<b>J</b>						<b>0.00</b>
							<b>0.00</b>	<b>0.00</b>
Account No.			<b>Additional Notice</b> <b>Internal Revenue Service</b>				<b>Notice Only</b>	
<b>Internal Revenue Service*</b> <b>P.O. Box 21126</b> <b>Philadelphia, PA 19114</b>								
Account No.			<b>Additional Notice</b> <b>Internal Revenue Service</b>				<b>Notice Only</b>	
<b>Suzanne H. Bauknight</b> <b>U.S. Attorney's Office</b> <b>Howard H. Baker, Jr. U.S. Courthouse</b> <b>800 Market St. Ste. 211</b> <b>Knoxville, TN 37902</b>								
Account No. <b>05 164 2501 000 062 000</b>			<b>2009</b> <b>Property Taxes</b>					<b>429.00</b>
<b>Creditor #: 2</b> <b>Monroe County Trustee</b> <b>103 College St Ste 2</b> <b>Madisonville, TN 37354</b>		<b>J</b>						<b>0.00</b>
Account No. <b>05 164 164 02501 P000 062 000</b>			<b>2009</b> <b>Property taxes</b>					<b>0.00</b>
<b>Creditor #: 3</b> <b>Monroe County Trustee</b> <b>103 College St Ste 2</b> <b>Madisonville, TN 37354</b>		<b>J</b>						<b>142.00</b>

Sheet **1** of **1** continuation sheets attached to  
Schedule of Creditors Holding Unsecured Priority Claims

Subtotal  
(Total of this page)

Total  
(Report on Summary of Schedules)

<b>429.00</b>	<b>142.00</b>
<b>571.00</b>	<b>142.00</b>
<b>429.00</b>	<b>142.00</b>
<b>571.00</b>	<b>142.00</b>

B6F (Official Form 6F) (12/07)

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No. <b>207101192</b>  <b>Creditor #: 1</b> <b>Athens Regional Hospital</b> <b>P.O. Box 99400</b> <b>Louisville, KY 40269</b>		<b>J</b>				<b>102.25</b>
Account No. <b>207035189</b>  <b>Creditor #: 2</b> <b>Athens Regional Hospital</b> <b>P.O. Box 99400</b> <b>Louisville, KY 40269</b>		<b>J</b>				<b>243.53</b>
Account No. <b>9709064</b>  <b>Creditor #: 3</b> <b>Athens Regional Hospital</b> <b>P.O. Box 99400</b> <b>Louisville, KY 40269</b>		<b>J</b>				<b>228.23</b>
Account No. <b>206479633</b>  <b>West Asset Management</b> <b>Agent for: Athens Regional Medical</b> <b>7171 Mercy Rd. Ste. 100</b> <b>Omaha, NE 68106-2636</b>						<b>Notice Only</b>
Subtotal (Total of this page)						<b>574.01</b>

3 continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>6045 8315 2412 6713</b> <b>Creditor #: 4</b> <b>Belk GEMB</b> <b>P O Box 981492</b> <b>El Paso, TX 79998-1492</b>	<b>J</b>	<b>2009</b> <b>Charge Card</b>				<b>57.51</b>
Account No. <b>5178 0522 6820 5834</b> <b>Creditor #: 5</b> <b>Capital One</b> <b>Bankruptcy Notices Dept</b> <b>PO Box 5155</b> <b>Norcross, GA 30091</b>	<b>J</b>	<b>Credit Card</b>				<b>748.33</b>
Account No. <b>Capital One</b> <b>15000 Capital One Dr</b> <b>Richmond, VA 23238</b>		<b>Additional Notice</b> <b>Capital One</b>				<b>Notice Only</b>
Account No. <b>Capital One (Inquiries Address)</b> <b>P O Box 30285</b> <b>Salt Lake City, UT 84130-0285</b>		<b>Additional Notice</b> <b>Capital One</b>				<b>Notice Only</b>
Account No. <b>5178 0524 4514 0615</b> <b>Creditor #: 6</b> <b>Capital One</b> <b>Bankruptcy Notices Dept</b> <b>PO Box 5155</b> <b>Norcross, GA 30091</b>	<b>J</b>	<b>Credit Card</b>				<b>631.15</b>
Sheet no. <u>1</u> of <u>3</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						<b>Subtotal</b> (Total of this page) <b>1,436.99</b>

B6F (Official Form 6F) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
<b>Creditor #: 7 Chex Systems Consumer Relations 7805 Hudson Rd Ste 100 Woodbury, MN 55125</b>			<b>Notification Purposes Only</b>			<b>0.00</b>
Account No.						
<b>Equifax Information Services LLC P O Box 740241 Atlanta, GA 30374-0241</b>			<b>Additional Notice Chex Systems</b>			<b>Notice Only</b>
Account No.						
<b>Experian P O Box 2002 Allen, TX 75013</b>			<b>Additional Notice Chex Systems</b>			<b>Notice Only</b>
Account No.						
<b>Trans Union P O Box 2000 Chester, PA 19022</b>			<b>Additional Notice Chex Systems</b>			<b>Notice Only</b>
Account No. <b>5256 5002 0257 8596</b>						
<b>Creditor #: 8 Citifinancial Bankruptcy Dept. PO Box 140489 Irving, TX 75014-0489</b>		<b>J</b>	<b>Credit Card</b>			<b>2,555.14</b>
Sheet no. <u>2</u> of <u>3</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
						<b>Subtotal (Total of this page)</b>
						<b>2,555.14</b>

B6F (Official Form 6F) (12/07) - Cont.

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	H U S B A N D W I F E J O I N T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. <b>4334 4600 8429 0027</b> <b>Creditor #: 9</b> <b>First Century Bank</b> <b>PO Box 674824</b> <b>Marietta, GA 30006-0005</b>		<b>J</b>	<b>Credit card</b>				<b>1,170.03</b>
Account No. <b>6019 1905 2129 0911</b> <b>Creditor #: 10</b> <b>GE Money Bank</b> <b>Bankruptcy Dept</b> <b>P O Box 103104</b> <b>Roswell, GA 30076</b>		<b>J</b>	<b>Credit Card</b>				<b>740.08</b>
Account No. <b>5289 3510 0905 6514</b> <b>Creditor #: 11</b> <b>Geico Credit Card</b> <b>PO Box 9207</b> <b>Old Bethpage, NY 11804</b>		<b>J</b>	<b>Credit Card</b>				<b>3,331.06</b>
Account No. <b>89933746</b> <b>Creditor #: 12</b> <b>HRRG</b> <b>Agent for Physicians Services</b> <b>P O Box 189053</b> <b>Plantation, FL 33318-9053</b>		<b>J</b>	<b>Medical Services</b>				<b>100.35</b>
Account No. <b>7216GQ</b> <b>Creditor #: 13</b> <b>NCO Financial Systems Inc</b> <b>Agent for Unknown</b> <b>507 Prudential Rd</b> <b>Horsham, PA 19044</b>		<b>J</b>	<b>Medical</b>				<b>88.77</b>
Sheet no. <b>3</b> of <b>3</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							<b>Subtotal</b> (Total of this page)
							<b>5,430.29</b>
(Report on Summary of Schedules)							<b>Total</b> <b>9,996.43</b>

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

## **SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code,  
of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.  
State whether lease is for nonresidential real property.  
State contract number of any government contract.

**US Cellular  
Write Off Department  
PO Box 7835  
Madison, WI 53707-7835**

**Cell Phone- Continue**

In re **Wesley Alger Gay,  
Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtors

## SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

0

continuation sheets attached to Schedule of Codebtors



B6I (Official Form 6I) (12/07)

In re **Wesley Alger Gay**  
**Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
<b>Married</b>	RELATIONSHIP(S): <b>Daughter</b> <b>Son</b>	AGE(S): <b>15</b> <b>9</b>
<b>Employment:</b>	DEBTOR	SPOUSE
Occupation	<b>Self- Employed/Owner</b>	<b>RN</b>
Name of Employer	<b>Dry Creek Valley Concrete</b>	<b>Athens Regional Medical</b>
How long employed	<b>6 years</b>	<b>10 years</b>
Address of Employer	<b>531 Dry Creek Rd</b> <b>Tellico Plains, TN 37385</b>	<b>P O Box 250</b> <b>Athens, TN 37323</b>

INCOME: (Estimate of average or projected monthly income at time case filed)

1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)

2. Estimate monthly overtime

3. SUBTOTAL

4. LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify) **See Detailed Income Attachment**

5. SUBTOTAL OF PAYROLL DEDUCTIONS

6. TOTAL NET MONTHLY TAKE HOME PAY

7. Regular income from operation of business or profession or farm (Attach detailed statement)

8. Income from real property

9. Interest and dividends

10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

11. Social security or government assistance

(Specify): \_\_\_\_\_

12. Pension or retirement income

13. Other monthly income

(Specify): \_\_\_\_\_

14. SUBTOTAL OF LINES 7 THROUGH 13

15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

**Debtor's income in Sch I is monthly average Aug 09 to Jan 10.****Joint Debtor's income in Sch I is monthly average Aug 09 to Jan 10 including all overtime which is very rare.**

B6I (Official Form 6I) (12/07)

In re **Wesley Alger Gay**  
**Kathy Gail Gay**

Case No. \_\_\_\_\_

Debtor(s)

**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)****Detailed Income Attachment****Other Payroll Deductions:**

<b>401 k</b>	\$ <b>0.00</b>	\$ <b>102.16</b>
<b>Life Ins</b>	\$ <b>0.00</b>	\$ <b>17.07</b>
<b>Flex Spending (Medical)</b>	\$ <b>0.00</b>	\$ <b>224.51</b>
<b>STD</b>	\$ <b>0.00</b>	\$ <b>19.48</b>
<b>Total Other Payroll Deductions</b>	\$ <b>0.00</b>	\$ <b>363.22</b>

- |  |                       |             |
|--|-----------------------|-------------|
| 1. Rent or home mortgage payment (include lot rented for mobile home)  |                       | \$ 0.00     |
| a. Are real estate taxes included?   | Yes _____ No <u>X</u> |             |
| b. Is property insurance included?   | Yes _____ No <u>X</u> |             |
| 2. Utilities:  |                       | \$ 250.00   |
| a. Electricity and heating fuel  |                       | \$ 18.00    |
| b. Water and sewer   |                       | \$ 30.00    |
| c. Telephone   |                       | \$ 330.00   |
| d. Other <u>See Detailed Expense Attachment</u>  |                       | \$ 50.00    |
| 3. Home maintenance (repairs and upkeep)   |                       | \$ 745.00   |
| 4. Food  |                       | \$ 100.00   |
| 5. Clothing  |                       | \$ 15.00    |
| 6. Laundry and dry cleaning  |                       | \$ 73.00    |
| 7. Medical and dental expenses   |                       | \$ 390.00   |
| 8. Transportation (not including car payments)   |                       | \$ 0.00     |
| 9. Recreation, clubs and entertainment, newspapers, magazines, etc.  |                       | \$ 0.00     |
| 10. Charitable contributions   |                       | \$ 0.00     |
| 11. Insurance (not deducted from wages or included in home mortgage payments)  |                       |             |
| a. Homeowner's or renter's   |                       | \$ 0.00     |
| b. Life  |                       | \$ 31.00    |
| c. Health  |                       | \$ 0.00     |
| d. Auto  |                       | \$ 0.00     |
| e. Other <u>Auto and Home</u>  |                       | \$ 323.00   |
| 12. Taxes (not deducted from wages or included in home mortgage payments)  |                       |             |
| (Specify) <u>Property taxes</u>  |                       | \$ 47.58    |
| 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)   |                       |             |
| a. Auto  |                       | \$ 0.00     |
| b. Other _____   |                       | \$ 0.00     |
| c. Other _____   |                       | \$ 0.00     |
| 14. Alimony, maintenance, and support paid to others   |                       | \$ 0.00     |
| 15. Payments for support of additional dependents not living at your home  |                       | \$ 0.00     |
| 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)   |                       | \$ 339.73   |
| 17. Other <u>See Detailed Expense Attachment</u>   |                       | \$ 200.00   |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.) |                       | \$ 2,942.31 |
| 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:                                 |                       |             |
| <u>food includes school lunches and work lunches</u>   |                       |             |
| 20. STATEMENT OF MONTHLY NET INCOME  |                       |             |
| a. Average monthly income from Line 15 of Schedule I   |                       | \$ 4,859.32 |
| b. Average monthly expenses from Line 18 above   |                       | \$ 2,942.31 |
| c. Monthly net income (a. minus b.)  |                       | \$ 1,917.01 |

B6J (Official Form 6J) (12/07)

Wesley Alger Gay

In re Kathy Gail Gay

Case No. \_\_\_\_\_

Debtor(s) \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)****Detailed Expense Attachment****Other Utility Expenditures:**

Cell (used for business)	\$	200.00
cable	\$	100.00
internet	\$	30.00
<b>Total Other Utility Expenditures</b>	<b>\$</b>	<b>330.00</b>

**Other Expenditures:**

Personal Care	\$	75.00
Pet Care	\$	40.00
Fees, Activities & Sports	\$	75.00
Postage	\$	10.00
<b>Total Other Expenditures</b>	<b>\$</b>	<b>200.00</b>

In re Wesley Alger Gay  
Kathy Gail Gay Debtor(s) Case No. \_\_\_\_\_

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**  
**Attachment A**

	6 month Average of Business Expenses	
	Materials	Gas
Aug	\$58.76	\$408.41
Sept	\$340.52	\$283.30
Oct	\$0.00	\$240.00
Nov	\$0.00	\$360.95
Dec	\$116.40	\$0.00
Jan	\$0.00	\$230.00
Total	\$515.68	\$1,522.66
6 mo Avg.	\$85.95	\$253.78

Total Business Expenses \$339.73

**United States Bankruptcy Court  
Eastern District of Tennessee**In re **Wesley Alger Gay  
Kathy Gail Gay**

Debtor(s)

Case No.

Chapter

**13****DECLARATION CONCERNING DEBTOR'S SCHEDULES**

## DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 25 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date **February 8, 2010**Signature **/s/ Wesley Alger Gay****Wesley Alger Gay**

Debtor

Date **February 8, 2010**Signature **/s/ Kathy Gail Gay****Kathy Gail Gay**

Joint Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**United States Bankruptcy Court  
Eastern District of Tennessee**

In re **Wesley Alger Gay**  
**Kathy Gail Gay**

Debtor(s)

Case No.

Chapter

**13**

**VERIFICATION OF CREDITOR MATRIX**

The above Debtor(s) hereby verifies under the penalty of perjury under the laws of the United States of America that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: **February 8, 2010**

**/s/ Wesley Alger Gay**

**Wesley Alger Gay**

Signature of Debtor

Date: **February 8, 2010**

**/s/ Kathy Gail Gay**

**Kathy Gail Gay**

Signature of Debtor

Date: **February 8, 2010**

**/s/ Cynthia T. Lawson**

Signature of Attorney

**Cynthia T. Lawson 018397**

**Bond, Botes & Lawson, P.C.**

**6704 Watermour Way**

**Knoxville, TN 37912**

**(865) 938-0733 Fax: (865) 938-7931**

B 1D (Official Form 1, Exhibit D) (12/09)

**United States Bankruptcy Court  
Eastern District of Tennessee**

In re **Wesley Alger Gay  
Kathy Gail Gay**

Debtor(s)

Case No.  
Chapter

**13**

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☐ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☒ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**



☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Wesley Alger Gay  
Wesley Alger Gay

Date: February 8, 2010

B 1D (Official Form 1, Exhibit D) (12/09)

**United States Bankruptcy Court  
Eastern District of Tennessee**

In re **Wesley Alger Gay  
Kathy Gail Gay**

Debtor(s)

Case No.

Chapter

**13**

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☐ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☒ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Kathy Gail Gay  
Kathy Gail Gay

Date: February 8, 2010

Agricredit Acceptance LLC  
PO Box 2000  
Johnston, IA 50131-0020

Athens Regional Hospital  
P.O. Box 99400  
Louisville, KY 40269

Belk GEMB  
P O Box 981492  
El Paso, TX 79998-1492

Capital One  
Bankruptcy Notices Dept  
PO Box 5155  
Norcross, GA 30091

Capital One  
15000 Capital One Dr  
Richmond, VA 23238

Capital One (Inquiries Address)  
P O Box 30285  
Salt Lake City, UT 84130-0285

Chase Home Finance  
3415 Vision Dr  
Columbus, OH 43219-6009

Chase Home Finance LLC  
10790 Rancho Bernardo Rd  
P O Box 509011  
San Diego, CA 92127

Chex Systems  
Consumer Relations  
7805 Hudson Rd Ste 100  
Woodbury, MN 55125

Citifinancial  
Bankruptcy Dept.  
PO Box 140489  
Irving, TX 75014-0489

Citifinancial Auto  
P O Box 9575  
Coppell, TX 75019-9575

Citifinancial/ Rooms to Go  
Bankruptcy Dept.  
PO Box 140489  
Irving, TX 75014-0489

Citifinancial/ Scott's Furniture  
Bankruptcy Dept.  
PO Box 140489  
Irving, TX 75014-0489

Dell Financial Services  
PO Box 981127  
El Paso, TX 79998-1127

Equifax Information Services LLC  
P O Box 740241  
Atlanta, GA 30374-0241

Experian  
P O Box 2002  
Allen, TX 75013

First Century Bank  
PO Box 674824  
Marietta, GA 30006-0005

GE Money Bank  
Bankruptcy Dept  
P O Box 103104  
Roswell, GA 30076

GE Money Bank/ Honda Card  
Bankruptcy Dept  
P O Box 103104  
Roswell, GA 30076

Geico Credit Card  
PO Box 9207  
Old Bethpage, NY 11804

GMAC  
P. O. Box 380901  
Bloomington, MN 55438-0901

GMAC  
Bankruptcy Dept  
2740 Arthur St  
Saint Paul, MN 55113

HRRG  
Agent for Physicians Services  
P O Box 189053  
Plantation, FL 33318-9053

Internal Revenue Service  
Special Procedures Branch  
ATTN: Bankruptcy Section MDP 146  
801 Broadway, Room 285  
Nashville, TN 37203

Internal Revenue Service\*  
P.O. Box 21126  
Philadelphia, PA 19114

Monroe County Trustee  
103 College St Ste 2  
Madisonville, TN 37354

NCO Financial Systems Inc  
Agent for Unknown  
507 Prudential Rd  
Horsham, PA 19044

Nissan Motor Acceptance Corporation  
Bankruptcy Dept  
P O Box 660366  
Dallas, TX 75266-0366

Suzanne H. Bauknight  
U.S. Attorney's Office  
Howard H. Baker, Jr. U.S. Courthouse  
800 Market St. Ste. 211  
Knoxville, TN 37902

Trans Union  
P O Box 2000  
Chester, PA 19022

West Asset Management  
Agent for: Athens Regional Medical  
7171 Mercy Rd. Ste. 100  
Omaha, NE 68106-2636